

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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DISTRICT OF MASS.

PAN AMERICAN AIRWAYS CORP., )

Plaintiff )

v. )

ROBERT E. BARNES )

Defendant )

Civil Action No. 04-CV-10515-JLT

**DEFENDANT ROBERT BARNES'**

**INITIAL DISCOVERY DISCLOSURES**

Pursuant to this court's discover order dated 9/17/04, the defendant makes the following,  
initial disclosures.

1. F.R.Civ.P. 26(a)(1):

A. Witnesses:

- i. All witnesses named by the plaintiff
- ii. Dr. Steven Barrett, MD  
195 School St., Manchester, MA 01944  
to testify about the impact Pan American's actions had on Mr. Barnes.
- iii. Ms Beth Babb  
Federal Aviation Administration  
70 Everett Avenue, Suite 517  
Chelsea, MA 02150  
to testify about delivery of summons to Mr. Barnes' workplace.
- iv. Mr Robert Barnes  
Logan Airport Fire Department  
Harborside Dr.  
Boston, MA 02128  
to testify about delivery of summons to Mr. Barnes' workplace.

- v. Eduard Stalzer. Phone 603-664-1087  
483 Beaver Rd,  
Strafford, NH 03884

To testify concerning maintenance procedures at Pan Am, the defendant's competence and professionalism, and the history of Pan Am's dealing with the FAA.

- vi. David Mailhot. current address or phone unknown.  
Testimony expected to include maintenance procedures

- vii. Barry Bermingham current address or phone unknown.  
To testify concerning procedures at PanAm, the defendant's competence and professionalism, and the history of PanAm's dealing with the FAA.

- viii. Mrs. Linda Barnes (possible)  
116 Prescott St.  
North Andover, MA  
To testify about the impact PanAm's actions had on her husband.

- ix. John Driscoll Phone: 603-929-7437  
14 Wingate St,  
Hampton, NH 03842  
Testimony expected to include procedures at PanAM, with particular emphasis upon those topics related to maintenance issues.

- x. Stanley Joyner  
310 Tilton Rd.  
Pittsfield, NH 03263

To testify about compliance with Federal Aviation Administration procedures to keep aircraft and engines airworthy and to Pan Am's compliance efforts.

#### B. Documents and Tangible Things

Copies of Documents received from the Federal Aviation Administration by means of request pursuant to the Freedom of Information Act.

Medical Records (not yet received)

#### C. No Damages prior to service of process

#### D. No Insurance for Defendant.

2. F.R.Civ.P. 26.2(A)(2)

(a) Dr. Steven Barrett, MD may be considered to be an expert witness.

(b) The defendant possesses nothing responsive at this time.

3. LR 26.1(B): Sworn Statement

Defendant Robert E. Barnes swears that:

- (a) No damages incurred prior to the receipt of the summons.
- (b) Witnesses to the transactions giving rise to my Complaint include Robert Barnes, Logan Airport Fire Department, Dr. Steven Barrett, MD, and Ms Beth Babb
- (c) No statements have been obtained, with the possible exception of letters exchanged between the plaintiff and myself and my attorney and counsel for the plaintiff.

This portion signed under the pains and penalties of perjury.

November 12, 2004

  
Robert E. Barnes

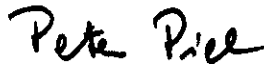
3. Persons to be Deposed.

- i. Steven Legere
- ii. David Fink
- iii. David Forney
- iv. Dave Mailhot
- v. Steward Beck
- vi. Eduard Stalzer
- vii. Anthony Liguori
- viii. Dave Burrell
- iv. Ken Goodsell
- x. Paul W. Hubbard

- xi. It is difficult for the defendant to identify all deponents at this time due the lack of information about the exact nature of the damages and the persons who have knowledge about the affected aircraft and engines.

Respectfully submitted,

Dated: November 12, 2004



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Peter Piel  
Law Office of Peter Piel  
800 Turnpike Street, Suite 300  
North Andover, MA 01845  
978-794-5513  
BBO # 639070

**Certificate of Service**

I, Peter Piel, hereby certify that a true copy of the above document was served upon John Nadolny, the attorney of record for the plaintiff, by U.S. mail, postage prepaid, and by fax, on this 12<sup>th</sup> day of November 2004.

A handwritten signature in cursive script that reads "Peter Piel". The signature is written in black ink and is positioned above a horizontal line.

Peter Piel  
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